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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,360	06/19/2001	Yasuhiro Osugi	ADC-OSUGI1	1805
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BROWN & MICHAELS, PC 400 M & T BANK BUILDING 118 NORTH TIOGA ST ITHACA, NY 14850			HUYNH, CONG LAC T	
			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/884,360

Applicant(s)

OSUGI, YASUHIRO

Examiner

Cong-Lac Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/8/02 & 7/29/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: the application filed on 6/20/01, and the IDSs filed on 4/8/02, priority 6/19/00.
2. Claims 1-9 are pending in the case. Claims 1 and 8 are independent claims.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

4. Claim 8 is objected to since the "a" and the "d" in "step a" and "step d" (lines 13-14) must be in parentheses to be differentiated with other letters in the claim.

Correction is required.

5. Claim 8 is also objected to since the preamble does not clearly mean a method or a computer readable medium. However, based on the steps included in claim 8, it appears that claim 8 is a method claim.

Therefore, it is suggested that the preamble of claim 8 be amended as follows: "a computer-implemented method embodied in a computer readable medium for recording a reminiscence support program comprising the steps of:"

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. Regarding claim 6, the phrase "or the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1, 6, 8-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Warthen (US Pat. No. 6,584,464 B1, 6/24/03, 3/19/99).

Regarding independent claim 8, Warthen discloses:

- (a) outputting question texts to a user (**figure 1b and col 4, lines 1-25**: present the client with question entry page 72 in step 3 shows outputting questions to a user)
- (b) obtaining replies to question texts from the user (**figure 1b and col 4, lines 1-25**: receiving the user's response in step 4)
- (c) creating and storing a data base of replies to said question texts together with attributes of said replies (**figure 1b and col 4, lines 1-25**: *"Information server passes the response to QPE 30, which returns a set of template questions (step5) ...information server 50 generates the question display page for presentation ... the parameters will be directly related to the question asked ... once the user selects a template question, information server 50 uses AE to generate answers to the questions ..."*)
- (d) reading question text format from said question text format storage mechanism, reading responses which match variable components and attributes of this question text format from said response storage mechanism, filling the read responses in variable components which match attributes of question text formats, generating question texts (**col 3, lines 41-56, col 4, lines 1-25, 43-56**: generating the question display page for presentation to the user based on the question template stored in the database and generating answers to the questions based on various parameters such as parameter <city> in the template question "What is the weather like in <city>?", filling the question for that parameter to get the answer mapped in the

question-answer mapping database where the parameter of a question is considered as an attribute of a question format)

(e) repeating the method from step a, using question texts generated in step d
(**figure 1b and col 3, lines 41-56, col 4, lines 1-25, 43-56**: the fact that there is a plurality of questions and answers mapped in the mapping database where each of the questions is provided to a user to receive the answer from the user and where the question and answer are stored and processed by the Question Processing Engine QPE and Answer Processing Engine APE implies repeating the method from step (a) to step (d))

Regarding claim 9, which is dependent on claim 8, Warthen discloses outputting question texts and obtaining replies are performed through a telecommunication mechanism (figures 1a, col 2, line 55 to col 3, line 40).

Regarding independent claim 1, Warthen discloses:

- a question database comprising stored question text formats, the question text format comprising question texts for stimulating or prompting a user's reminiscence and a variable component having attribute (**col 3, lines 27-56, figure 3**: the stored question text formats with a drop-down menu of a list of attributes to select for a question shows stimulating or prompting a user's reminiscence and a variable component of the questions; the question text

formats with attributes are clearly stored in a database of the Question Processing Engine QPE)

- a response database comprising stored replies to said question texts together with attributes of said replies (**figures 1a-b, col 4, lines 1-25**: the APE has the responses with corresponding questions as defined in the question-answer templates with parameters for the responses)
- a question text generating mechanism which reads at least one question text format from said question database, read responses which match variable component and attributes of the question text format from said question database, and fills the responses in variable components which match attributes of the question text format, generating question texts, and outputs the question texts to said telecommunications mechanism (**col 3, lines 41-56, col 4, lines 1-25, 43-56**: generating the question display page for presentation to the user based on the question template stored in the database and generating answers to the questions based on various parameters such as parameter <city> in the template question "What is the weather like in <city>?", filling the question for that parameter to get the answer mapped in the question-answer mapping database)
- a telecommunication mechanism which outputs question texts from question database to a user, obtains replies to question texts from said user, and outputs responses from the response output mechanism (abstract, col 4, lines 1-25, 49 to col 5, line 15, figures 1a-b, 2)

Regarding claim 6, which is dependent on claim 1, Warthen discloses a multi-media linking mechanism which stores maps, photographs or the like, corresponding with a response in the response database, in association with attributes of the response (figure 3: the question "Where can I find the map for the city of Seattle, WA?" or "How can I find a Afghan restaurant in Seattle" implies that the responses in the response database corresponding to said questions should be linked to the stored map of Seattle).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Warthen (US Pat. No. 6,584,464 B1, 6/24/03, 3/19/99) in view of Wanderski et al. (US Pat No. 6,519,617 B1, 2/11/03, filed 4/8/99).

Regarding claim 2, which is dependent on claim 1, Warthen does not disclose that said attributes of the question text format are indicated by XML tags, and said response database stored responses as XML files.

However, Warthen discloses using HTML files with HTML tags for presenting question text formats and responses to users (col 3, lines 1-56).

Wanderski discloses transforming a document in HTML to XML (col 9, lines 7-31).

It would have been obvious to an ordinary skill in the art at the time of the invention was made to have combined Wanderski into Warthen since Wanderski discloses transforming HTML files to XML files providing the advantage to include the transformed XML files and XML tags from the HTML files and HTML tags for presenting question text formats and responses to users. The combination of Wanderski into Warthen would provide an efficient way for presenting responses stored in the response database using the flexibility of the user-defined characteristics of the Extensible Markup Language.

13. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Warthen as applied to claim 1 above, and further in view of Light et al. (US Pat No. 6, 192,380 B1, 2/20/01, filed 3/31/98).

Regarding claim 3, which is dependent on claim 1, Warthen does not disclose obtaining from the user an indication of whether to permit or not permit disclosure of responses stored in said response database, and only passes responses for which disclosure has been authorized to said response output mechanism.

Light discloses obtaining from the user an indication of whether to permit or not permit disclosure of responses stored in said response database, and only passes responses for which disclosure has been authorized to said response output

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mechanism (**figures 4 and 6, col 4, line 31 to col 5, line 36**: the user's responses to the questions in a form are stored in a database in conjunction with the authorization level from the user for different data answered, for example, the social security number data is only released to IRS, or to the user's bank, etc., and the user specifies which organization to which the information should or should not be released).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Light into Warthen since Light discloses the permission of whether or not to disclose of responses stored in the response database, and only outputting the authorized responses providing the advantage to incorporate into Warthen for restricting in disclosing data according to the authorization giving to different data stored in the database. The combination of Warthen in Light would help effectively preventing a user's data to be transferred to the unauthorized receivers specified by the user.

Regarding claim 4, which is dependent on claim 3, Warthen does not disclose controlling said authorization of whether or not to disclose in attribute units linked to a response.

Light discloses controlling said authorization of whether or not to disclose in attribute units linked to a response (**figure 6**: the tags with the authorization attributes either "None", "Secure Sites Only", or "ONLY IRS" shows controlling the authorization of whether or not to disclose in attribute units linked to a response since the tag data is

considered as a response to a question in the form, and some tag data needs user's authorization, some does not).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Light into Warthen since Light discloses controlling authorization of whether or not to disclose in attribute units linked to a response providing the advantage to incorporate to Warthen for giving different authorizations to different types of data upon a user's desire. The combination of Light into Warthen would effectively prevent a user's data to be transferred to the unauthorized receivers specified by the user.

14. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Warthen as applied to claim 1 above, and further in view of Feldman, Find What I Mean, Not What I Say, Online, May 2000, vol. 24, iss. 3, pg. 49, 7 pgs, printed from ProQuest as pages 1-8.

Regarding claim 5, which is dependent on claim 1, Warthen does not disclose selecting differing question text formats corresponding to responses expressing an emotional level of user from among the responses stored in said response storage mechanism.

Feldman discloses detecting the emotional level of customers via the customer's responses to questions stored in the question database (**page 6**: "a customer support system that can answer questions ... The system can sort email by the kind of

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information the user needs – product, price, color, etc ...detect the level of emotion contained in the message: is it favorable, neutral, dissatisfied with a product, upset with the service, or so disgusted ...extracts meaning and emotion as well ... create a relational database or to mine its data... text retrieval system...”).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Feldman into Warthen since Feldman discloses detecting the level of emotion contained in different messages, which are the different responses, suggesting that different responses expressing different level of emotions correspond to different question formats. In other words, to detect the level of emotion contained in different responses, selecting different question formats corresponding to different responses should be performed. The combination of Feldman into Warthen would provide an efficient system for obtaining the feedback from customers via the user's answer to derive the “want” and “don't want” from customers to improve the business services.

15. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Warthen as applied to claim 1 above, and further in view of Doughty, Website Design: Learn Online Pick Up Tips for Your Own Website Design from the Lastest Guardian Website to Hit the Internet learn.co.uk, the Place to Go for Resources, The Guardian, May 16, 2000, pg. 6, printed from ProQuest as pages 1-3.

Regarding claim 7, which is dependent on claim 1, Warthen does not disclose:

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- receiving comments from a party other than said user which has obtained a response output from said response output mechanism, the comments concerning a response, or the person making said response
- storing said comment in association with said person making a response
- converting said comment in addition to said response into a specific format

Doughty discloses:

- receiving comments from a party other than said user which has obtained a response output from said response output mechanism, the comments concerning a response, or the person making said response (**page 2**: the comments on the student answers from examiners are received where examiners are the third party other than the students who has obtained the responses to the question from a test)
- storing said comment in association with said person making a response (**page 2**: the fact that the teachers will be able to tailor test to suit their own teaching schedules based on the scores on the student answers and the comments on why one answer is correct implies that the comments as well as the student who makes the response are stored in the system for test evaluation)
- converting said comment in addition to said response into a specific format (**page 2**: the fact that the comment about why one answer is correct is presented to teachers to tailor tests implies that the comment and the response are converted into a specific format for easily recognizing which comment for which answer as well as for which student)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Doughty into Warthen since Doughty discloses receiving comments from a third party concerning a response or the person making said response, storing said comment in association with the person making a response, and converting said comment in addition to said response into a specific format providing the advantage to incorporate into Warthen for obtaining an effective question-answer system that includes a database of comments related to the responses for conveniently evaluate data provided by said system.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Machiraju et al. (US Pat No. 6,243,090 B1, 6/5/01, filed 8/25/99).

Kennedy et al. (US Pat No. 6,651,217 B1, 11/18/03, filed 9/1/99).

Mathieu et al. (US Pat No. 6,009,441, 12/28/99, filed 9/3/96).

Ziv-El (US Pat No. 6,302,698 B1, 10/16/01, filed 8/25/99).

Chase (US Pat No. 6,332,143 B1, 12/18/01, filed 8/11/99).

Bossemeyer, Jr. et al. (US Pat No. 6,510,427 B1, 1/21/03, filed 7/19/99).

Arning (US Pat No. 5,936,225, 8/10/99, filed 4/2/96).

Bezos (US Pat No. 6,525,747 B1, 2/25/03, filed 8/2/99).

Seltzer et al. (US Pat No. 6,741,989 B1, 5/25/04, filed 6/7/00).

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Schabes et al. (US Pat App Pub No. 2004/0117352 A1, 6/17/04, filed 4/30/01, priority 4/28/00).

Futakuchi (US Pat App Pub No. 2001/0051330 A1, 12/13/01, filed 12/11/00).

Harter et al. (US Pat App Pub No. 2002/0069083 A1, 6/6/02, filed 12/5/01, priority 12/5/00).

Coleman (US Pat App Pub No. 2004/0024656 A1, 2/5/04, filed 12/15/00, priority 6/2/00).

Prager, Question-Answering by Predictive Annotation, ACM 2000, pages 184-191.

Sebrechts, Question Asking As a Tool For Novice Computer Skill Acquisition, ACM 1991, pages 293-299.

Berger et al., Bridging the Lexical Chasm : Statistical Approaches to Answer-Finding, ACM 2000, pages 192-199.

Oslund et al., The 24-hour Classroom // From Hypertext Links to E-mail, Program Seeks to Aid Learning, Star Tribune, Jan 14, 1996, pg. 01.D, printed from ProQuest as pages 1-5.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4125.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cong-Lac Huynh
Examiner
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11/19/04